

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

SATURDAY, THE 1ST DECEMBER 2007 / 10TH AGRAHAYANA 1929

RP.No. 1166 of 2007(Y)

AGAINST THE JUDGEMENT/ORDER IN WPC.26032/2006 Dated 04/12/2006

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: PETITIONER:

K.SANJEEV KUMAR, PAZHAYIDATHIL HOUSE,
KURIYANNUR.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS: RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
SECRETARY TO GOVERNMENT, DEPARTMENT OF HOME
AFFAIRS, GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM
2. THE CIRCLE INSPECTOR OF POLICE,
KOZHENCHERRY.
3. THE SUB INSPECTOR OF POLICE,
KOIPURAM.

BY ADV. SMT.SMITHA SUKUMAR, GOVERNMENT PLEADER

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 01/12/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

R.P.No.1166 of 2007

in

WP(C) No. 26032 of 2006

Dated, this the 1st day of December, 2007

ORDER

The writ petition was disposed of with direction to the District Collector to complete the adjudication, pertaining to seizure of vehicle with sand, under the Protection of River Banks and Regulation of Sand Mining Act. This Court ordered endorsement in the RC book "pending adjudication" to avoid sale of vehicle without purchaser knowing the pending case. However, in the review petition filed by the petitioner, it is stated that vehicle was already released through court orders even before the date of judgment. In other words, facts were not correctly stated in the Court when writ petition was argued. Since the vehicle is released, there is no need to make any endorsement in the RC book and it is for the District Collector to complete the adjudication under the Protection of River Banks and Regulation of Sand Mining Act without any delay. However, if police has made endorsement in the RC book, the petitioner can approach the District Collector to order removal of endorsement in the RC book, depending on the result of adjudication, if the adjudication is over.

(C.N.RAMACHANDRAN NAIR, JUDGE)